

# In The United States Court of Federal Claims

No. 13-285C

(Filed: September 23, 2013)

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KELLOGG BROWN & ROOT  
SERVICES, INC.,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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On June 24, 2013, defendant filed a motion to dismiss Count II of plaintiff's complaint. On August 22, 2013, plaintiff filed a motion to strike and withdraw Count II of its complaint. On September 6, 2013, defendant filed a response indicating that it did not oppose plaintiff's motion, and an unopposed motion to stay proceedings given that the parties are conducting settlement discussions.

Plaintiff's motion to strike is hereby **GRANTED**. Defendant's motion to dismiss is **DENIED** as moot. Defendant's motion to stay proceedings is **GRANTED**. This case is hereby **stayed** until further order. The parties shall file a joint status report informing the court of the status of any settlement discussions on or before November 18, 2013, and every 56 days thereafter.

**IT IS SO ORDERED.**

s/ Francis M. Allegra  
Francis M. Allegra  
Judge